



May 29, 2018

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW, Washington, DC 20554

Radha Sekar
Chief Executive Officer
Universal Service Administrative Company
700 12th St. NW, Suite 900
Washington, DC 20005

Re: EMPA response to ALA's May 11, 2018 Ex Parte Submission Regarding Observations and Recommendations Related to USAC's E-rate workshops. (Modernizing the E-rate Program for Schools and Libraries, WC Docket No. 13-184.)

Dear Secretary Dortch and Ms. Sekar:

On behalf of Infinity Communications & Consulting Inc and the 300+ E-rate Applicants we represent, we wanted to respond to the recent letter the American Library Association (ALA) submitted regarding the upcoming USAC E-rate Training in Washington, D.C.

We agree the annual E-rate workshops are a critical part of the USAC training program providing both Applicants and Service Providers access to up to date information on how to apply for and administer their E-rate projects. We also agree that a component of USAC training should be a day-long session intended to identify and discuss more complex issues that arise in the program—and possibly even help develop administrative solutions to these issues.

We believe, however, that ALA's proposal to allow only state and regional E-rate coordinators to attend the training held in DC¹ would limit the effectiveness of the USAC trainings, could lead to fewer successful applications and would unfairly provide a competitive advantage to a select group for-profit entities.² This limitation on who can attend would not achieve the Commission's or USAC's goal for the training, which is presumably to help produce more successful applications.

¹ By only focusing on advanced topics, it would give USAC staff time to drill down on topics and provide all the time necessary to completely discuss new subjects or USAC processes.

² Some of these companies are also members of EMPA. They serve as "E-rate coordinators" for states on a contract basis.

We believe there may be a disconnect between what USAC wants to accomplish at the “train the trainer” meeting and what seasoned Applicants and Service Providers want. Based on past E-rate training meetings, we assume USAC would likely focus on the basic rules of the program because the vast majority of E-rate applicants require only a more basic understanding of the program’s rules. While we can’t presume to speak for the ALA, I can comment on what Infinity wants out of this training session. We seeking a training session where there is time for attendees to ask more complicated questions. We support an advanced session but do not think attendance should be limited to state and regional coordinators.

Consultants, including those who are not working for a specific state on contract, now assist on applications that represent 70 percent of requested E-rate dollars and that number has risen in each of the past five years.³ Infinity is a proud member of the E-Rate Management Professional’s Association and in our informal polling of EMPA members who are not already members of the State E-rate Coordinators Alliance (SECA) or State E-rate Coordinators, none or almost none of these members rely on training materials developed by state or regional E-rate Coordinators. Infinity’s training materials are developed by attending USAC training meetings and working directly with FCC and USAC staff. If E-rate consultants are not invited to this first training event, it will create a delay in Infinity being able to start our training and planning with their E-rate applicants.

Furthermore, some school district Applicants also have complicated issues and should not have to ask their questions through a state or regional coordinator, who may not have a full understanding of the issue or may be new to the program themselves. And Service Providers should not be left out of an advanced session either. They may be able to offer a different perspective on an issue, and they have just as much at stake in ensuring they are following the rules as Applicants do.

Offering a day-long advanced training session does not have to conflict with the goals of transparency and openness for all stakeholders. If there are more potential attendees than spaces, USAC could do the following, for example, to ensure everyone who wants to would have an opportunity to attend:

- USAC could hold multiple days of advanced training in a row in DC
- USAC could hold multiple days of advanced training, in DC and other cities
- USAC could supplement the advanced training by streaming on a website, as is done with the Commission’s meetings and Congressional hearings. Attendees not present should have the ability to submit questions on par with those attending in person.
- USAC could institute a limit of two people per company/organization for the advanced training.
- USAC could charge for-profit entities to attend, which would likely reduce the number of attendees from a particular organization.

We are sure there are many other ways to achieve the goal of addressing more complicated issues during E-rate program training without limiting stakeholder attendance in a discriminatory way.

In addition, an advanced training session may primarily (and possibly ideally) consist of responses to questions. If questions are submitted in advance, USAC will have the opportunity to research and think about the proper response. Submitting questions in advance should not preclude questions being asked during the training, but may make for a more efficient use of time.

³ See Attachment A.

If cost is a barrier to any of these ideas, USAC could recoup some of the costs by charging for-profit attendees a fee, as other government agencies do.⁴ That way, taxpayers at the state or local levels will not bear additional costs for the program.

Finally, we completely agree with ALA's comment: "While we value the webinars USAC has available, these are not a substitute for face-to-face workshops where attendees can talk among themselves and with USAC staff. Attendees' most pressing questions are often addressed through these sidebar conversations, making them invaluable." This statement is all the more reason that attendance at the DC training specifically should not exclude Applicants or Service Providers (or their consultants) that want to attend.⁵

We respectfully ask that you consider training sessions that are open to all stakeholders. Please do not hesitate to contact the undersigned if you have any questions.

Sincerely yours,

Fred Brakeman

Fred Brakeman RCDD, CSI, CEMP
Chief Executive Officer

CC: Cara Voth, Office of the Managing Director
Ryan Palmer, Chief, Telecommunications Access Policy Division, Wireline Competition Bureau

⁴ This fee would apply to for-profit consultants, attorneys, and service providers. If for-profit entity was contracted with a state to serve as state "coordinator," then its attendees would have to pay the fee. Only non-profit associations, state/regional service center or other public employees would not have to pay. We are not aware of any rule which would prohibit USAC from charging for-profit entities a fee to attend but waiving the fee for public and non-profit entities. FOIA allows for a similar sliding scale in certain instances.

⁵ Although we would respectfully note it would be a happy improvement if there were more opportunities for questions to be submitted and answered publicly by top USAC management, possibly through the USAC news brief. The ability to ask questions of top administrators should not be limited to once-a-year trainings.

Attachment A

Applications with Consultants: By Dollar and Number of Applications Funding Year 2014 through Funding Year 2018

FY	Consultant			No Consultant			Overall		
	BENs	471s	\$ Requested	BENs	471s	\$ Requested	BENs	471s	\$ Requested
2014	13,258	20,003	\$2,957,189,824	14,196	27,273	\$1,996,000,795	27,454	47,276	\$4,953,190,619
2015	13,950	23,389	\$2,424,194,110	13,029	24,818	\$1,513,952,041	26,979	48,207	\$3,938,146,151
2016	14,383	25,506	\$2,137,586,154	9,747	20,728	\$1,502,135,229	24,130	46,234	\$3,639,721,383
2017	14,340	23,902	\$2,015,217,904	8,728	17,187	\$982,648,880	23,068	41,089	\$2,997,866,784
2018	14,207	23,013	\$2,006,985,249	7,312	13,093	\$854,018,205	21,519	36,106	\$2,861,003,454

FY	Consultant			No Consultant		
	BENs	471s	\$ Requested	BENs	471s	\$ Requested
2014	48%	42%	60%	52%	58%	40%
2015	52%	49%	62%	48%	51%	38%
2016	60%	55%	59%	40%	45%	41%
2017	62%	58%	67%	38%	42%	33%
2018	66%	64%	70%	34%	36%	30%

Many thanks to our friends at Funds for Learning for providing the above statistics.